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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,104	10/03/2005	Oliver Lange	5028.1007	4127
7278	7590	05/29/2008		
DARBY & DARBY P.C. P.O. BOX 770 Church Street Station New York, NY 10008-0770			EXAMINER  CHUNG TRANS, XUONG MY	
			ART UNIT  2833	PAPER NUMBER
			MAIL DATE  05/29/2008	DELIVERY MODE  PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/552,104

**Applicant(s)**

LANGE, OLIVER

**Examiner**

XUONG M. CHUNG TRANS

**Art Unit**

2833

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-13 and 22-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-13, 22-25, 27-29, 31-39 is/are rejected.
- 7) ☒ Claim(s) 26 and 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
- Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

1. This is responsive to the amendment file February 19, 2008. Claims 1-10, and 14- 21, has been canceled and new claims 38-39 has been added. Therefore, claims 11-13 and 22-39 are pending in this application.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-13, 27-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Schaefer (4,543,557).

As per claim 11, Schaefer discloses a connector 2 for through-wall connection, comprising: a clamp housing 4; a locking element (12a, 14a, 26, 26' 15', 15'') for attaching the clamp housing 4 to a wall 3; and a pivotable actuation wedge 6 connected as a single piece to the locking element, wherein: the locking element includes a clamp part 54 configured to engage an inner edge of a through opening 3a of the wall3, and a

surface 52 of the actuation wedge 6 is configured to press against a side 54a of the clamp part 54 facing the actuation wedge .

As per claims 12-13, Schaefer discloses wherein the locking element includes another clamp part 15', 15", and the clamp parts are configured to respectively engage upper and lower inner edges of a through opening 3a of the wall 3; wherein the clamp parts are configured to project through the wall 3.

As per claims 27-28, Schaefer disclose the locking element includes first and second flexible clamp legs (15', 15") elastically movable toward each other so as to automatically engage an opening 3a of the wall 3 upon an insertion of the plug connector in the opening.

As per claim 29, Schaefer discloses the wall 3 is a wall of a device or housing.

5. Claims 24-26, 31, 33-36 and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaefer.

Claims 24-25 and 38 differ from claim 11 in that it further recite that the first and second surfaces, each include a respective slip safety device. Schaefer does not explicitly disclose that the first and second surfaces, each include a slip safety device. Schaefer however does disclose the use of safety device 15'15'. Therefore, it would have been obvious to one of ordinary skill in the art that a slip safety device can be similarly added to the first and second surfaces as claimed in order to prevent slip as needed.

As per claim 31, Schaefer discloses the clamp part (15', 15", 12a, 14a, 54, 26) is configured to project through the wall 3.

As per claim 33, Schaefer discloses the locking element includes a flexible connection web 26 disposed on a clamp leg 14, the actuation wedge 6 being connected to the claim leg via the flexible connection web.

As per claims 26 and 34, Schaefer discloses the invention substantially as claimed except that the wedge includes an insertion opening configured to receive an actuation tool. It would have been obvious to one of ordinary skill in the art at the time the invention was made to form an insertion opening on the wedge in order to receive an actuation tool as needed.

As per claim 35, Schaefer disclose the locking element includes first and second flexible clamp legs (15', 15") elastically movable toward each other so as to automatically engage an opening 3a of the wall 3 upon an insertion of the plug connector in the opening.

As per claim 36, Schaefer discloses the wall 3 is a wall of a device or housing.

As per claim 39, Schaefer discloses the side of the clamp part includes a first surface that is opposite the second surface and configured to engage the inner edge of the through opening of the wall.

6. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bukala (4,560,227) in view of Yoon.

Bukala discloses a connector for through-wall connection, comprising:

a selectable number of plate-shaped contact housings 10 attached to one another;

a first locking element 64 for attaching the clamp housing to a wall 34 with a first pivotable actuation wedge 66 connected to the first locking element; and a second locking element 64 for attaching the clamp housing to a wall 34 with a second pivotable actuation wedge connected to the second locking element, the second locking element being attached to a second of the plate-shaped contact housings so as to be disposed at a variable distance from the first locking element, the variable distance being a function of the selectable number of plate-shaped contact housings. Bukala does not explicitly disclose a terminal element attached to a first of the plate-shaped contact housings; the first locking element attached to the terminal element. Yoon, however, discloses such a terminal element 9. Therefore, it would have been obvious to one of ordinary skill in the art to modify Bukala connector to have the terminal element 9 attached to the first of the plate-shaped contact housing as taught by Yoon in the Bukala connector in order to cover the housing and to have the first locking element attached to the terminal element instead of the housing, since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 7.

Claims 26 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant's arguments with respect to claims 11-13, and 22-37 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to XUONG M. CHUNG TRANS whose telephone number is (571)272-2002. The examiner can normally be reached on Monday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee Luebke can be reached on (571) 272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Xuong Chung-Trans/  
Patent Examiner